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ALEXANDER L STEVENS
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No. 83-1056

In the Supreme Court of the United States

OCTOBER TERM, 1983

GENERAL MOTORS CORPORATION,
Petitioner,

v.

OKLAHOMA COUNTY BOARD OF
EQUALIZATION, ET AL.,
Respondents.

On Petition for a Writ of Certiorari
To the Supreme Court of Oklahoma

RESPONSE AND STATEMENT OF OPPOSITION TO MOTION OF OKLAHOMA INDUSTRIES AUTHORITY FOR PERMISSION TO FILE A BRIEF AMICUS CURIAE

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Equalization, George Keyes,
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County, and Joe B. Barnes,
County Treasurer of Oklahoma
County*

January, 1984

*Counsel of Record.

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A BRIEF AMICUS CURIAE**

Come now the Respondents and herewith object to and oppose the application of the Oklahoma Industries Authority (OIA) to participate *amicus curiae* in this cause and, herewith state their objection as follows:

- (1) That as reflected both by the Petition for Writ of Certiorari and the brief proffered by OIA, the OIA was a named party to these proceedings in the lower court;
- (2) That OIA has not timely filed their brief as a party to the proceedings as required by Rule 19.6 of the Rules of this Court;
- (3) That there exists no authority whatsoever which sanctions the participation of a named party under the guise of *amicus curiae*;

- (4) That to permit OIA to participate *amicus curiae* would deprive these Respondents of an opportunity to respond to the brief of an adversary party or would be tantamount to giving the Petitioner 50 pages of brief and these Respondents 30 pages to respond;
- (5) That the granting of this application would establish a prejudicial precedent permitting a party to circumvent the rules of this Court through the machination of artful realignment;
- (6) That the granting of this application is prejudicial to Respondents and would give sanction to an evasion of the Rules of this Court;
- (7) That Respondents did not and do not consent to OIA redesignating itself from a party to *amicus*;

Wherefore, Respondents pray that this Court deny the Motion of Oklahoma Industries Authority for permission to file a brief *amicus curiae*.

Respectfully submitted,

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